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*Counsel for Keith L. Phillips, Chapter 7 Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

IN RE: JOHN HOUSTON MCCLUNG, JR.,

Case No. 12-33362-DOT

Debtor.

Chapter 7

**NOTICE OF MOTION TO EXAMINE JOHN HOUSTON MCCLUNG, JR.  
AND DENISE L. JOHANSEN PURSUANT TO  
RULE 2004 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

**PLEASE TAKE NOTICE** that Keith L. Phillips (the “Trustee”), Trustee for the Bankruptcy Estate of John Houston McClung, Jr., by counsel, has filed a *Motion to Examine John Houston McClung, Jr. and Denise L. Johansen Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure* (the “Motion”) to examine John Houston McClung, Jr. (the “Debtor”) and Denise L. Johansen regarding issues that relate directly to the acts, conduct, or property of Debtor and the liabilities and financial condition of Debtor, which may affect the administration of Debtor’s estate.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought in the Motion, you must do the following:

1. You must file with the court, at the address shown below, a written response pursuant to Local Bankruptcy Rules 9013-1 and 2004-1 **no later than seven days after the filing date of the Motion.** If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the deadline stated above.

Clerk of the Court  
United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219

2. You must also mail a copy to:

Ellen L. Valentine, Esquire  
Kutak Rock LLP  
1111 East Main Street, Suite 800  
Richmond, Virginia 23219

Shannon Franklin Pecoraro, Esquire  
Office of the United States Trustee  
701 E. Broad Street, Suite 4304  
Richmond, Virginia 23219

3. No hearing has been set to consider the Motion. If you object to the Motion, you must file the objection timely with the Court. If a hearing is required, you must attend the hearing in addition to filing a written objection to the Motion. If you fail to file timely a written response and to attend the hearing, the Court may consider any objection you may have waived, treat the Motion as conceded and issue an Order granting the requested relief under the Motion without further notice or hearing.

**KEITH L. PHILLIPS, TRUSTEE**

By: /s/ Ellen L. Valentine  
Counsel

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*Counsel for Keith L. Phillips, Trustee*

**CERTIFICATE OF SERVICE**

Pursuant to the Local Rules of this Court, I hereby certify under penalty of perjury that on June 12, 2013 a true and correct copy of the foregoing was served on all necessary parties via ECF or first-class mail, postage prepaid, as follows:

Deponent:

Denise L. Johansen  
637 Abbey Village Circle  
Midlothian, Virginia 23114

Debtor's Counsel:

Charles H. Krumbein, Esquire  
[charlesh@krumbein.com](mailto:charlesh@krumbein.com)

Debtor:

John Houston McClung, Jr.  
637 Abbey Village Circle  
Midlothian, Virginia 23114

Counsel for the United States Trustee:

Shannon Franklin Pecoraro, Esquire  
Office of the United States Trustee  
Email: [shannon.franklin@usdoj.gov](mailto:shannon.franklin@usdoj.gov)

By: /s/ Ellen L. Valentine  
Counsel